

\
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 8/14/2025
--

----- X
SAREGAMA INDIA LTD.,

Plaintiff,

v.

BHARATH AIYER, *et al.*

Defendants,

1:25-mc-30-GHW

ORDER

----- X
GREGORY H. WOODS, United States District Judge:

On June 18, 2025, Saregama India Ltd. (“Plaintiff”) filed a motion asking that the Court deny an claimed exemption by Bharath Aiyer (“Aiyer”) with respect to funds held in a bank account at HSBC Bank. Dkt. No. 3. Plaintiff filed proof of service of the motion on both Aiyer and HSBC Bank on the same day. Dkt. No. 4. Counsel for Plaintiff affirms that he received the exemption form claiming the objection that is the subject of this application on June 13, 2024. Dkt. No. 3-1 (“Decl.”) ¶ 9.

New York “C.P.L.R. 5222-a, enacted as part of the EIPA, creates the mechanism of the exemption claim form.” *Freeman v. Giuliani*, 2024 WL 4467191, at *2 (S.D.N.Y. 2024). “The provision restricts the scope of the restraint that can be implemented against the bank account of a natural person and creates a new procedure aimed at ensuring that this class of judgment debtors is able to retain access to exempt funds.” *Id.* (cleaned up). “It was added to the C.P.L.R. as part of an effort to protect the exempt income of small debtors.” *Id.* (cleaned up).

As part of that mechanism, C.P.L.R. § 5222-a(d) provides that a judgment creditor that objects to a claim of exemption “must serve the banking institution and the judgement debtor with

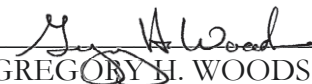
its motion papers within eight days after the date postmarked on the envelope containing the executed exemption form or the date of personal delivery of the executed exemption claim form to the banking institution” C.P.L.R. § 5222-a(d).

Here, it appears that the objection to the exemption was not made timely. Counsel for Plaintiff received the exemption form on June 13, 2024. This motion was filed over a year later. As a result, the Court is inclined to deny the requested relief. Plaintiff may submit supplemental briefing in support of its request no later than September 4, 2025. If it does not do so, this matter will be closed.

Plaintiff is directed to serve this order on Ayer and HSBC Bank and to file proof of service. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 3.

SO ORDERED.

Dated: August 14, 2025
New York, New York



GREGORY H. WOODS
United States District Judge